

CLAIMS.

What is claimed is:

1. (currently amended)

A bag holder, where the neck of the bag, sack or sandbag is held open by hooks, with a funnel of conical shape with an enclosed angle of approximately 80° ~~the side at 400 to the axis~~ positioned over the neck of the sandbag to guide material into the bag consisting of a main framework and a pivoting framework to support hooks to engage the bag, sack or sandbag with an elastic device acting between the main framework and the pivoting framework to provide tension ~~spring or other mechanical or pneumatic device acting between the main framework and the pivoting framework to provide tension or similar force to engage the bag.~~ to engage the bag and where the main framework includes a main structural element bent to provide a handle fro transporting the device

2. (currently amended)

~~A bag holder, as claimed in Claims 1 where the main framework includes a main structural item bent to provide a handle for transporting the device.~~

A bag holding and filling device, where the neck of the bag, sack or sandbag is held open by hooks with a funnel of conical shape with an enclosed angle of approximately 80° positioned over the neck of the bag, sack or sandbag to guide material into the bag, sack or sandbag, consisting of a main framework and a pivoting framework with an elastic device acting between the main framework and the pivoting framework to provide tension to engage the bag, sack or sandbag where the main framework is of tubular structure and includes a main structural element bent to provide a handle for transporting the device and to provide a location for the pivot point for the funnel.

3. (Currently amended)

A bag holding and filling device-holder as claimed in Claim 2 where the ~~main framework includes a main structural item bent to provide both a handle for transporting the device and a location for a pivot point of the funnel features that allow for dismantling and reassembling for transport and storage.~~

4 (cancelled)

~~A bag holder as claimed in Claims 1 through 3 where the framework includes features that allow for dismantling and reassembly for transport and storage~~

5. (currently amended)

A bag ~~holder as claimed in Claims 1 through 4~~ holding and filling device as claimed in claim 3 where there are a spring and a stopper provided to activate and constrain movement of the pivoting framework, the spring and stopper being positioned within the layout of the main and pivoting frameworks so as to reduce the likelihood of body parts, articles of clothing or other items from becoming trapped by the pivoting action of the pivoting framework.

6. (cancelled)

~~A bag holder as claimed in Claims 1 through 5 where there is a stop to constrain the movement of the funnel and this stop is positioned within the main framework so as to reduce the likelihood of body parts, articles of clothing or other items from becoming trapped during movements of the funnel.~~

7. (currently amended)

A bag ~~holder as claimed in Claim 4~~ holding and filling device as claimed in claim 5 where the funnel can be removed from its pivoting location and re fixed to the main framework in such a way as to engage the pivoting arms against the tension providing mechanism.

8. (currently amended)

~~A bag holder as claimed in Claim 4~~ holding and filling device as claimed in claim 7 with detachable feet supports that can be reengaged with the main framework for storage and assembly.

9. (currently amended)

~~A bag holder as claimed in Claims 1 and 8~~ holding and filling device as claimed in Claim 8 in which reduced diameter sections of the feet supports incorporate a hole can be aligned with a hole in the main framework to allow engagement between the feet and the main framework.

10. (cancelled)

~~A bag holder substantially as described herein with reference to the accompanying drawings.~~